

**MONDAY, FEBRUARY 3, 1997**

**SECOND LEGISLATIVE DAY**

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Paul Durham.

Representative Boner led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bittle; death in family

Representative Jackson; family illness

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**MESSAGE FROM THE SENATE**  
**January 24, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 4, 10 and 11; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**January 24, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 14, 19 and 20; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**  
**January 24, 1997**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 4, 10 and 11.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**  
**January 27, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 4, 10 and 11 with his approval.

Courtney Pearre, Counsel to the Governor.

**SIGNED**  
**January 28, 1997**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 14, 19 and 20.

**BILL REFERRAL REQUESTED**  
**January 29, 1997**

Rep. Cole (Carter) requested that House Bill No. 51 be immediately referred to committee, pursuant to **Rule No. 65**.

**\*House Bill No. 51 -- Highway Signs -- House Transportation Committee**

PERSONAL ORDERS

RECOGNITION

Rep. Boyer was recognized in the Well to announce the death of George Bittle and former Representative Loy L. Smith

Rep. Boyer moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 28 out of order, which motion prevailed.

**House Joint Resolution No. 28** -- Memorials, Death - Representative Loy L. Smith. by \*Boyer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Boyer, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

February 3, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 34; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 34** -- Memorials, Public Service - Jim Hall, National Transportation Safety Board. by \*Haun.

## MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY

### RULES SUSPENDED

Rep. Robinson moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 34 out of order, which motion prevailed.

**Senate Joint Resolution No. 34** -- Memorials, Public Service - Jim Hall, National Transportation Safety Board. by \*Haun.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Robinson, the resolution was concurred in.

A motion to reconsider was tabled.

### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 16** -- Constitutional Amendments - Ratifies 15th amendment and repeals HJR 98 of 36th General Assembly. by \*Cooper.

State and Local Government Committee

**House Joint Resolution No. 18** -- Naming and Designating - Childhood Cancer Awareness Month, September 1997. by \*West.

Health and Human Resources Committee

### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 5, 1997:

**House Joint Resolution No. 17** -- Memorials, Personal Achievement - Sam Ballenger, perfect church attendance. by \*West.

**House Joint Resolution No. 19** -- Memorials, Public Service - Charles Orr. by \*Ridgeway.

**House Joint Resolution No. 20** -- Memorials, Retirement - Elizabeth M. O'Connor. by \*Phillips, \*Hargrove.

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**House Joint Resolution No. 26** -- Memorials, Personal Achievement - Beverly Holmgren, Leadership Bartlett Award. by \*Hargett.

**House Joint Resolution No. 27** -- Memorials, Professional Achievement - Cathy Pihl, Teacher of the Year. by \*Hargett.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 5, 1997:

**Senate Joint Resolution No. 3** -- Memorials, Public Service - Linda Sue Gilbert, recipient of "Book of Golden Deeds Award.". by \*Cooper.

**Senate Joint Resolution No. 4** -- Memorials, Public Service - Charles Grady Norton, Exchange Club's "Community Service Award" recipient. by \*Cooper.

**\*Senate Joint Resolution No. 5** -- Memorials, Death - John Howard "J.H." Warf, former commissioner of education and charter member of board of regents. by \*Springer, \*Henry, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 6** -- Memorials, Death - Bill Monroe. by \*Henry, \*Graves, \*Haynes, \*Cohen, \*Rochelle.

**Senate Joint Resolution No. 7** -- Memorials, Death - Miss Mildred Stoves. by \*Henry.

**Senate Joint Resolution No. 8** -- Memorials, Recognition and Thanks - Frank M. Farris, Jr., Watkins Institute. by \*Henry, \*Rochelle.

**Senate Joint Resolution No. 9** -- Memorials, Death - H. Sanders Anglea. by \*Henry, \*Haynes, \*Rochelle.

**Senate Joint Resolution No. 10** -- Memorials, Death - Attorney General David M. Pack. by \*Henry, \*Haynes, \*Herron, \*Atchley, \*Cohen, \*Koella, \*Springer, \*Rochelle.

**Senate Joint Resolution No. 11** -- Memorials, Public Service - Charles W. Burson, Attorney General and Reporter. by \*Cohen, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

## **MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**Senate Joint Resolution No. 15** -- Memorials, Public Service - Dr. Patrick J. Murphy. by \*Person.

**Senate Joint Resolution No. 16** -- Memorials, Public Service - Bob Corker, commissioner of finance and administration. by \*McNally, \*Haynes, \*Henry, \*Womack, \*Atchley, \*Gilbert, \*Harper, \*Cohen, \*Kyle, \*Herron, \*Williams, \*Springer, \*Haun, \*Rochelle.

**Senate Joint Resolution No. 17** -- Memorials, Sports - 1996 Oak Ridge High School boys' cross country team. by \*McNally, \*Williams, \*Davis.

**Senate Joint Resolution No. 18** -- Memorials, Sports - Oak Ridge High School girls' cross country team, TSSAA Class AAA state champions. by \*McNally, \*Williams, \*Davis.

### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 46** -- Salaries and Benefits - Requires equal pay within one year of July 1, 1997, to college athletic coaches and directors based on gender of sport; applies to state colleges and universities and applies only where both men's and women's teams compete at intercollegiate level. by \*Windle.

**House Bill No. 47** -- Probate Law - Makes various changes to probate law Amends TCA Titles 30, 31, 32, 35, 45 and 67. by \*Fowlkes.

**House Bill No. 48** -- Emergency Communications Districts - Exempts dispatchers with ten years of experience as dispatcher from complying with statutory qualifications for dispatchers. Amends TCA Title 7, Chapter 86. by \*Fowlkes.

**\*House Bill No. 49** -- Garnishments and Executions - Increases garnishment costs by \$2.00 for rule entry fee for each entry to rule, trial or execution docket, such costs to be paid by debtor. Amends TCA Section 26-2-106(c). by \*Scroggs.

**\*House Bill No. 50** -- Fees - Increases from 10 percent to 15 percent commission received by court clerks in Shelby County for receipt and payment of all taxes, fines, forfeitures and fees. Amends TCA Section 8-21-401(6). by \*Scroggs.

**\*House Bill No. 51** -- Highway Signs - "Rondal B. Cole Memorial Highway," S.R. 91, Carter County. by \*Cole (Carter), \*Kent, \*Patton, \*Godsey, \*Pinion, \*Mumpower, \*Ridgeway, \*Davis.

**House Bill No. 52** -- Driver Licenses - Prohibits issuance of restricted commercial driver licenses to school bus drivers; prohibits issuance of school bus driver endorsements to persons convicted of DUI. Amends TCA Title 55, Chapter 50. by \*Ferguson, \*Cross, \*Arriola.

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**House Bill No. 53** -- Local Education Agency - Allows counties to continue to choose to elect county school superintendents after September 1, 1996, rather than go to appointed directors of schools. Amends TCA Title 49, Chapter 2, Part 3. by \*Windle, \*Ferguson.

**\*House Bill No. 54** -- Local Education Agency - Allows county school superintendents to continue to be elected after September 1, 1996, subject to action of county commission. by \*Curtiss, \*Windle.

**\*House Bill No. 55** -- DUI/DWI Offenses - Permits court to order issuance of restricted driver license to person for first time arrest or conviction of driving while impaired. Amends TCA Title 55, Chapter 10, Part 4 and Title 55, Chapter 50, Part 5. by \*Curtiss.

**House Bill No. 56** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Radnor Lake special license plates; earmarks funds derived from sale of such plates to state lands acquisition fund. Amends TCA Title 55, Chapter 4. by \*Halteman Harwell.

**\*House Bill No. 57** -- Highways, Roads and Bridges - Establishes certification board for candidates for chief administrative officer of county road departments. Amends TCA Section 54-7-104. by \*Rhinehart.

**\*House Bill No. 58** -- Fire Prevention and Investigation - Revises requirements for county and municipal building and fire inspectors to be exempt from testing requirements; reduces experience requirements from seven to four years and age requirement from 60 to 50 years. by \*Ferguson.

**\*House Bill No. 59** -- Criminal Procedure - States legislative finding that alternate sentences not appropriate for second offenders who injure victim Amends TCA Title 38 through 41. by \*Odom.

**\*House Bill No. 60** -- Divorce and Annulment - Levies \$10.00 fee on divorce, fees allocated to child abuse prevention. Amends TCA Title 36. by \*Odom.

**\*House Bill No. 61** -- Adoption - Requires parents' signatures on petitions of adoption to be notarized. Amends TCA Title 36 and Title 37. by \*Odom.

**\*House Bill No. 62** -- Pensions and Retirement Benefits - Authorizes direct deposit of retirement benefits Amends TCA Titles 34 through 38. by \*Odom.

**\*House Bill No. 63** -- Welfare - Raises from six to seven age of child which exempts parent or caretaker from work requirement under welfare law Amends TCA Title 33; Title 37; Title 68 and Title 71. by \*Odom.

**\*House Bill No. 64** -- Mental Health and Mental Retardation, Dept. of - Authorizes licensure of facilities to provide mental health care services under TennCare Amends TCA Titles 33, 47; 48, 68 and 71. by \*Odom.

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**\*House Bill No. 65** -- Judgments - Reduces from eight to six months time period in which awards must be paid following submission Amends TCA Title 29. by \*Odom.

**\*House Bill No. 66** -- Zoning - Changes from ten to 30 days time period in which certificate of compliance must be returned after building permit has expired Amends TCA Title 13. by \*Odom.

**\*House Bill No. 67** -- Parks, Natural Areas Preservation - Extends from two to three years time in which plan for development and protection of natural areas must be completed Amends TCA Title 11. by \*Odom.

**\*House Bill No. 68** -- Courts - Requires municipalities to reimburse counties when general sessions judges sit for municipal judge Amends TCA Title 16. by \*Odom.

**\*House Bill No. 69** -- Public Records - Requires administrative officials to inform employees about requirements of public records law Amends TCA Title 10. by \*Odom.

**\*House Bill No. 70** -- Public Funds and Financing - Provides for liaison from comptroller's office to taxing entities to inform such entities of audit requirements Amends TCA Title 9. by \*Odom.

**\*House Bill No. 71** -- State Employees - Requires state to provide financial planning seminars for state employees Amends TCA Title 8. by \*Odom.

**\*House Bill No. 72** -- Sunshine Law - Requires members of boards and commissions to be made aware of Sunshine Law Amends TCA Title 8. by \*Odom.

**\*House Bill No. 73** -- State Employees - Requires periodic salary increases to equal 8 percent. Amends TCA Title 8. by \*Odom.

**\*House Bill No. 74** -- Civil Service - Reduces time for rating civil service tests from four months to 90 days Amends TCA Title 8, Chapter 30. by \*Odom.

**\*House Bill No. 75** -- TennCare - Provides coverage for former state employees through TennCare once COBRA benefits are exhausted Amends TCA Title 8, Chapter 27; Title 12, Chapter 3; Title 56; Title 68 and Title 71. by \*Odom.

**\*House Bill No. 76** -- Local Government, General - Authorizes employee organizations to represent employees before civil service commissions Amends TCA Title 7. by \*Odom.

**\*House Bill No. 77** -- Election Laws - Requires election commissions to verify that documents are properly filed at time of filing; establishes conclusive presumption that requirements met and document timely filed Amends TCA Title 2. by \*Odom.

**\*House Bill No. 78** -- Redistricting, Legislative & Congressional - Moves VTD ZZZZ from district 9 to district 8 Amends TCA Title 2, Chapter 16. by \*Odom.



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**\*House Bill No. 79** -- Redistricting, Legislative & Congressional - Requires senate redistricting plans to comply with federal statutes Amends TCA Title 2 and Title 3, Chapter 1. by \*Odom.

**\*House Bill No. 80** -- Lobbying, Lobbyists - Changes time period for registration as lobbyist from five days to five business days Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by \*Odom.

**\*House Bill No. 81** -- Ethics - Increases from five to ten days time period for registration as lobbyist. Amends TCA Title 2, Chapter 10; Title 3, Chapter 6 and Title 8, Chapter 50, Part 5. by \*Odom.

**\*House Bill No. 82** -- General Assembly - Requires amendment of disclosure statement by members of the general assembly within 90 days of change of circumstances Amends TCA Title 2, Chapter 10; Title 3 and Title 8, Chapter 50. by \*Odom.

**\*House Bill No. 83** -- Redistricting, Legislative & Congressional - Requires house redistricting plans to comply with federal statutes and US Supreme Court rulings Amends TCA Title 2 and Section 3-1-103. by \*Odom.

**\*House Bill No. 84** -- Tennessee Regulatory Authority - Increases from 40 to 50 miles area of operation of airport limousines Amends TCA Titles 2, 3, 7, 8, 39, 48, 55, 65, and 67. by \*Odom.

**\*House Bill No. 85** -- Financial Disclosure - Increases from three to five business days time in which registry of election finance must give notice of records inspection. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by \*Odom.

**\*House Bill No. 86** -- General Assembly - Defines cost of funding first year's cost of legislation under constitution as amount designated in fiscal note. Amends TCA Title 3. by \*Odom.

**\*House Bill No. 87** -- Consumer Protection - Authorizes secretary of state to create consumer affairs offices in Memphis, Knoxville and Nashville Amends TCA Titles 4, 8 and 47. by \*Odom.

**\*House Bill No. 88** -- Administrative Procedure - Increases from five to ten number of persons required to petition agency for adoption or repeal of regulation Amends TCA Title 4. by \*Odom.

**\*House Bill No. 89** -- State Government - Requires governor to submit legislation to revise TCA to reflect changes in governmental structure made by executive order Amends TCA Title 4. by \*Odom.

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**\*House Bill No. 90** -- Penal and Reformatory Institutions - Increases from three to five number of persons who may be appointed by county legislative bodies to inspect local jails Amends TCA Title 4; Title 8, Chapter 26; Title 39; Title 40 and Title 41. by \*Odom.

**\*House Bill No. 91** -- Employees, Employers - Reduces from twelve to eight number of hours considered reasonable for employee to leave premises after voluntary or involuntary dismissal Amends TCA Title 4 and Title 50. by \*Odom.

**\*House Bill No. 92** -- County Government - Requires county attorneys to advise county officials about state and federal laws applicable to officials' duties Amends TCA Title 5. by \*Odom.

**\*House Bill No. 93** -- Health - Requires compilation of providers under TennCare Program Amends TCA Title 4; Title 68 and Title 71. by \*Odom.

**\*House Bill No. 94** -- Local Government, General - Requires local governments to act in most cost efficient manner possible Amends TCA Titles 5; 6; 7; 13; 54; 57; 67; 68 and 69. by \*Odom.

**\*House Bill No. 95** -- Annexation - Increases time period for effectiveness of annexation by ordinance from 30 to 45 days Amends TCA Title 6. by \*Odom.

**\*House Bill No. 96** -- Taxes, Sales - Increases from 15 to 20 days time in which dealer must make final return and payment after quitting or selling business. Amends TCA Title 67, Chapter 6. by \*Odom.

**\*House Bill No. 97** -- Taxes, Excise - Caps extension which may be granted by the commissioner at three months. Amends TCA Title 67, Chapter 4, Part 8. by \*Odom.

**\*House Bill No. 98** -- Bond Issues - Authorizes issuance of bonds for state projects. by \*Odom.

**\*House Bill No. 99** -- Appropriations - Appropriates funds to operate state government for fiscal years 1997-1998. by \*Odom.

**\*House Bill No. 100** -- Safety - Raises from ten to 14 age at which fireworks may be purchased. Amends TCA Title 68. by \*Odom.

**\*House Bill No. 101** -- Tennessee Regulatory Authority - Removes requirement that abstract of meeting minutes be included in report to general assembly. Amends TCA Title 65. by \*Odom.

**\*House Bill No. 102** -- Regional Authorities - Deletes obsolete reference to state planning office. Amends TCA Title 64. by \*Odom.

**\*House Bill No. 103** -- Civil Defense - Repeals provision requiring state employees to accept temporary or permanent assignment to emergency state mobile reserve. Amends TCA Title 58. by \*Odom.

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**\*House Bill No. 104** -- Food and Food Products - Requires both hot and cold water in sinks provided for food service employees. Amends TCA Title 53. by \*Odom.

**\*House Bill No. 105** -- Employees, Employers - Repeals requirement of occupational health and safety report to governor and general assembly. Amends TCA Title 50. by \*Odom.

**\*House Bill No. 106** -- Aircraft and Airports - Increases quorum requirement of Tennessee aeronautics commission from two to three members. Amends TCA Title 42. by \*Odom.

**\*House Bill No. 107** -- Juvenile Offenders - Requires notification of school principal prior to delinquent child's attendance if court orders such notice to be given. Amends TCA Title 37. by \*Odom.

**\*House Bill No. 108** -- Fiduciaries - Increases notice period for resignation of trustee from ten to 20 days. Amends TCA Title 35. by \*Odom.

**\*House Bill No. 109** -- Guardianship - Reduces compensation of guardians from 7 to 5 percent of moneys received. Amends TCA Title 34. by \*Odom.

**\*House Bill No. 110** -- Mental Illness - Decreases from ten to five days time in which court hospitalizing patient in mental health facility must be notified if such patient dies. Amends TCA Title 33. by \*Odom.

**\*House Bill No. 111** -- Evidence - Includes optometrists within persons exempt from subpoena from trial but subject to subpoena to deposition. Amends TCA Title 24. by \*Odom.

**\*House Bill No. 112** -- Juries and Jurors - Changes from ten days to ten business days time for notice of jury duty. Amends TCA Title 22. by \*Odom.

**\*House Bill No. 113** -- Courts, Chancery - Reduces from three to two years time in which default judgment becomes absolute. Amends TCA Title 21. by \*Odom.

**\*House Bill No. 114** -- Attorneys at Law - Increases from two to five years time period in which license to practice law may be revoked for fraud. Amends TCA Title 23. by \*Odom.

**\*House Bill No. 115** -- Judicial Officers - Increases from 90 to 120 days time period in which clerks must give notice of destruction of records to state librarian. Amends TCA Title 18. by \*Odom.

**\*House Bill No. 116** -- Judges and Chancellors - Changes time period in which special committee appointed to hear appeal from court of the judiciary must report to speakers from ten days to ten business days. Amends TCA Title 17. by \*Odom.

**\*House Bill No. 117** -- Holidays - Establishes Secretaries Day as special day of observance. Amends TCA Title 15. by \*Odom.

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**\*House Bill No. 118** -- Public Property - Requires governor to provide copies of state property inventory to state officials in computer readable formats. Amends TCA Title 12. by \*Odom.

**\*House Bill No. 119** -- Public Officials - Authorizes speaker of the senate and speaker of the house to administer oaths. Amends TCA Title 8. by \*Odom.

**\*House Bill No. 120** -- Civil Procedure - Increases from \$125 to \$150 civil forfeiture for failure to mark date on which process is issued and the date on which such process is received by the sheriff or other officer. Amends TCA Title 20. by \*Odom.

**\*House Bill No. 121** -- Municipal Government - Requires approval of special census after annexation to be given by the office of local government rather than the state planning office (abolished). Amends TCA Title 6. by \*Odom.

**\*House Bill No. 122** -- Local Government, General - Changes period of time for election to be held to elect members of charter commission for metropolitan government from 46-60 days to 45-90 days. Amends TCA Title 7. by \*Odom.

**\*House Bill No. 123** -- Statutes - Creates method to fill vacancy on Tennessee code commission if member incapacitated. Amends TCA Title 1. by \*Odom.

**\*House Bill No. 124** -- Welfare - Requires plans for foster care to be prepared within 90 days of placement. Amends TCA Title 71. by \*Odom.

**\*House Bill No. 125** -- Wildlife Resources Commission - Increases from one to two number of free sport fishing days. Amends TCA Title 70. by \*Odom.

**\*House Bill No. 126** -- Water - Reduces from 30 to 15 days period of time in which report of well driller must be filed. Amends TCA Title 69. by \*Odom.

**\*House Bill No. 127** -- Environmental Preservation - Increases from 30 to 45 days time period in which hearing on final order may be requested. Amends TCA Title 68 and Title 69. by \*Odom.

**\*House Bill No. 128** -- Water - Authorizes state to exercise authority over effluents if federal government unable to perform duties due to budget shortfalls. Amends TCA Title 68 and Title 69. by \*Odom.

**\*House Bill No. 129** -- Solid Waste Disposal - Increases time from 30 to 45 days in which appeal of final actions of regions and authorities may be made to chancery court. Amends TCA Title 68, Chapter 211. by \*Odom.

**\*House Bill No. 130** -- Taxes - Reduces from 90 to 60 days time period in which dealer may deduct taxes paid on items returned upon which refund has been made. Amends TCA Title 67. by \*Odom.

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**\*House Bill No. 131** -- Taxes, Franchise - Increases from \$2,000 to \$2,500 amount of job tax credit that may be applied to franchise tax liability Amends TCA Title 67, Chapter 4. by \*Odom.

**\*House Bill No. 132** -- Taxes, Income - Reduces from 30 to 20 days time period in which commissioner of revenue must remit tax revenues to comptroller Amends TCA Title 67, Chapter 2. by \*Odom.

**\*House Bill No. 133** -- Personal Property - Increases from 180 to 200 days time period which garments may be left at drycleaners prior to sale by drycleaner Amends TCA Title 66. by \*Odom.

**\*House Bill No. 134** -- Telecommunications - Specifically includes cellular telephones within definition of "public utility" Amends TCA Title 65. by \*Odom.

**\*House Bill No. 135** -- Health - Provides for advisory committee to review complaints against health related boards Amends TCA Title 63. by \*Odom.

**\*House Bill No. 136** -- Professions and Occupations - Assigns personal civil and criminal liability to private security guard using unauthorized deadly force Amends TCA Title 62. by \*Odom.

**\*House Bill No. 137** -- Business Organizations - Increases from three to four months time period in which proceedings to enforce claims must be filed against dissolved limited partnerships Amends TCA Title 61. by \*Odom.

**\*House Bill No. 138** -- Gas, Petroleum Products, Volatile Oils - Increases from ten to 20 days time period in which supervisor may grant or deny mineral test hole permit Amends TCA Title 60. by \*Odom.

**\*House Bill No. 139** -- Mining and Quarrying - Increases from 90 to 100 days time period in which backfilling, grading, top soiling and planting of cover crops required Amends TCA Title 59. by \*Odom.

**\*House Bill No. 140** -- Alcoholic Beverages - Increases from 20 to 25 days time period in which manufacturers and wholesale distributors of beer must register with commissioner Amends TCA Title 57. by \*Odom.

**\*House Bill No. 141** -- Insurance Companies, Agents, Brokers - Increases from three to five number of actuaries which may be employed by commissioner of commerce and insurance Amends TCA Title 56. by \*Odom.

**\*House Bill No. 142** -- DUI/DWI Offenses - Requires sheriff to file plan of access for drug and alcohol treatment organizations with department of mental health and mental retardation Amends TCA Title 55, Chapter 10. by \*Odom.

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**\*House Bill No. 143** -- Motor Vehicles - Increases from 200 to 250 feet distance required for clear view of vehicle parked on highway outside business or residential district Amends TCA Title 55. by \*Odom.

**\*House Bill No. 144** -- Highways, Roads and Bridges - Increases from 60 to 75 days period of time during which chief administrative officer of county must file inventory of equipment and supplies with county governing body Amends TCA Title 54. by \*Odom.

**\*House Bill No. 145** -- Workers' Compensation - Changes notice requirement for revocation of certificate of compliance from 30 days to 30 calendar days Amends TCA Title 50 and Title 56. by \*Odom.

**\*House Bill No. 146** -- Unemployment Compensation - Provides that payments in lieu of premiums be paid in 30 business days rather than 30 calendar days Amends TCA Title 50, Chapter 7. by \*Odom.

**\*House Bill No. 147** -- Education - Authorizes board of education to develop model grading policy Amends TCA Title 49. by \*Odom.

**\*House Bill No. 148** -- Corporations - Increases from 11 months to one year time period in which appointment of proxy is revocable Amends TCA Title 48. by \*Odom.

**\*House Bill No. 149** -- Uniform Commercial Code - Increases from 30 to 45 days time period after notice in which warehouseman may remove stored goods Amends TCA Title 47. by \*Odom.

**\*House Bill No. 150** -- Cemeteries - Increases from ten to 20 days period of time in which notice of revocation of temporary cemetery permits must be given Amends TCA Title 46. by \*Odom.

**\*House Bill No. 151** -- Banks and Financial Institutions - Increases from 30 to 45 calendar days period of time in which application from bank with regulatory rating of 1 or 2 shall be deemed approved for branch facilities Amends TCA Title 45. by \*Odom.

**\*House Bill No. 152** -- Estates - Reduces from ten to five years period of time in which wills may be admitted to probate after end of hostilities Amends TCA Title 32. by \*Odom.

**\*House Bill No. 153** -- Estates - Requires forms to be filed within 60 days rather than "promptly" with treasurer after actual knowledge of escheat of property. Amends TCA Title 31. by \*Odom.

**\*House Bill No. 154** -- Estates - Increases time period for clerk to mail exceptions to clerk's decisions on exceptions to accounts from five to ten days. Amends TCA Title 30. by \*Odom.

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 155** -- Motor Vehicles, Titling and Registration - Increases from seven to eight number of special dealer plates permitted to certain truck dealers. Amends TCA Title 55. by \*Odom.

**\*House Bill No. 156** -- Limitation of Actions - Decreases from seven to six years time in which personal representative may be sued. Amends TCA Title 28. by \*Odom.

**\*House Bill No. 157** -- Civil Procedure - Increases from 30 to 45 days time in which execution or other process will issue to enforce foreign judgment after service on judgment debtor. Amends TCA Title 26. by \*Odom.

**\*House Bill No. 158** -- Judgments - Reduces from three to two years time in which judgment lien will be lost unless execution is taken out. Amends TCA Title 25. by \*Odom.

**\*House Bill No. 159** -- Livestock - Redefines "dairy farm" to include all milk producing animals in addition to cows. Amends TCA Title 44. by \*Odom.

**\*House Bill No. 160** -- Agriculture - Deletes requirement for annual report for Tennessee agricultural museum. Amends TCA Title 43. by \*Odom.

**\*House Bill No. 161** -- Criminal Offenses - Defines loitering on the property of another as disorderly conduct. Amends TCA Title 39. by \*Odom.

**\*House Bill No. 162** -- Criminal Procedure - Reduces from 90 to 75 days time period in which record relating to punishment must be certified to court of appeals if no appeal of first degree murder conviction. Amends TCA Title 39 and Title 40. by \*Odom.

**\*House Bill No. 163** -- Charitable Solicitations - Requires vending machines used for charitable purposes to include labels indicating percentage paid to maintain machines and percentage paid to specific charitable purpose. Amends TCA Section 48-101-521. by \*Odom.

**\*House Bill No. 164** -- Appeal and Review - Changes time for appeal from recorder's judgment from ten calendar days with Sundays excluded to ten business days. Amends TCA Title 27. by \*Odom.

**House Bill No. 165** -- Firearms and Ammunition - Makes it Class E felony to carry firearm inside any building in which judicial proceedings are held; exempts state, county and municipal judges and federal judges or magistrates. Amends TCA Title 39, Chapter 17. by \*Clabough, \*Kerr.

**\*House Bill No. 166** -- Pensions and Retirement Benefits - Allows death beneficiaries in TCRS to decline those benefits, if done in writing and filed with division of retirement prior to any payment. Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37. by \*Rhinehart.

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 167** -- Pensions and Retirement Benefits - Allows members of General Assembly to continue to receive retirement allowance while in office if such benefit based on service other than as member of general assembly. Amends TCA Section 8-36-808(a). by \*Rhinehart.

**\*House Bill No. 168** -- Pensions and Retirement Benefits - Eliminates mandatory retirement age for public safety officers. Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37. by \*Rhinehart.

**\*House Bill No. 169** -- Pensions and Retirement Benefits - Changes "consolidated retirement board" to "board of trustees of the consolidated retirement system." Amends TCA Title 8, Chapter 25, Part 1; Title 8, Chapter 25, Part 3 and Title 8, Chapter 25, Part 5. by \*Rhinehart.

**\*House Bill No. 170** -- Salaries and Benefits - Increases compensation of safety hearing officers and chief hearing officers in department of safety by \$5,000 per year. by \*Phillips.

**\*House Bill No. 171** -- Highways, Roads and Bridges - Authorizes Humphreys County road department to use county equipment and supplies for projects involving owners that are not-for-profit public benefit corporations when the department reimbursed costs. Amends TCA Section 54-7-202. by \*Tidwell.

**\*House Bill No. 172** -- Sunset Laws - Tennessee neighborhood development corporation, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 13. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 173** -- Sunset Laws - Deletes from sunset provisions vocational training centers, board of directors. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 11. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 174** -- Sunset Laws - Enterprise zone management board, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 28. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 175** -- Sunset Laws - Southeast interstate low-level radioactive waste compact, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 202. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 176** -- Sunset Laws - Board of employee assistance professionals, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 42. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 177** -- Sunset Laws - Board of medical examiners' council on respiratory care, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 6. by \*Kernell, \*Garrett, \*Brooks.



**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 178** -- Sunset Laws - Tennessee state veterans' home board, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 7. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 179** -- Sunset Laws - Tennessee sports hall of fame, June 30, 2005. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 180** -- Sunset Laws - Domestic violence state coordinating council, June 30, 1999. Amends TCA Title 4, Chapter 29 and Title 38, Chapter 12. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 181** -- Sunset Laws - Post-conviction defender commission, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 40, Chapter 30. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 182** -- Sunset Laws - Drycleaner environmental response board, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 217. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 183** -- Sunset Laws - Massage licensure board, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 18. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 184** -- Sunset Laws - Tennessee Ocoee development agency, June 30, 1999. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 9. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 185** -- Sunset Laws - Tennessee state racing commission, June 30, 2000. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 186** -- Sunset Laws - Oil and gas board, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 60, Chapter 1. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 187** -- Sunset Laws - State soil conservation committee, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 14. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 188** -- Sunset Laws - Archaeological advisory council, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 6. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 189** -- Sunset Laws - Conservation commission, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 2. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 190** -- Sunset Laws - Terminates medical care advisory committee. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 191** -- Sunset Laws - Terminates Tennessee commodity producers board; transfers functions to commissioner of agriculture. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 32. by \*Kernell, \*Garrett, \*Brooks.

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 192** -- Administrative Procedure - Continues certain permanent agency rules pursuant to UAPA beyond expiration date of June 30, 1997. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 193** -- Sunset Laws - Board for licensing health care facilities, June 30, 1998. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 194** -- Sunset Laws - Terminates TennCare program cost savings suggestion award board. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 195** -- Sunset Laws - Board of medical examiners' committee on physician assistants, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 19. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 196** -- Sunset Laws - West Fork Drakes Creek dam and reservoir interstate authority, June 30, 2005. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 197** -- Sunset Laws - Terminates 1996 Tennessee bicentennial commission, June 30, 1997. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 44. by \*Kernell, \*Garrett, \*Brooks.

**\*House Bill No. 198** -- Sunset Laws - Occupational safety and health administration labor advisory council, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 3. by \*Kernell, \*Garrett, \*Brooks.

**House Bill No. 199** -- Sexual Offenses - Establishes certain procedures and standards to govern public notification pursuant to Sexual Offender Registration and Monitoring Act; adds certain offenses to list of criminal offenses which require registration. Amends TCA Title 40, Chapter 39. by \*Turner (Hamilton).

**House Bill No. 200** -- Capitol - Requires state capitol commission to develop and implement policy on additions and improvements to Bicentennial Mall. by \*Kisber.

**House Bill No. 201** -- Energy - Expands powers relative to natural gas properties to include electricity by authorizing incorporation as energy acquisition corporation instead of gas acquisition corporation. Amends TCA Title 7, Chapter 39. by \*Kisber.

**\*House Bill No. 202** -- Claims Commission, Tennessee - Provides for suspension of compensation for commissioners who fail to decide claims within 180 days after hearing or submission of affidavits. Amends TCA Title 9, Chapter 8. by \*Kisber.

**House Bill No. 203** -- Insurance Companies, Agents, Brokers - Extends change of residential and business address notification period for insurance agents and limited insurance representatives from 15 to 20 business days. Amends TCA Title 56, Chapter 6. by \*Kisber.

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 204** -- Education - Requires local and county boards of education which have adopted zero tolerance policy to submit certain information to state board to be compiled in annual report and submitted to governor and general assembly. Amends TCA Section 49-6-4216. by \*Pruitt.

**House Bill No. 205** -- Education - Changes references to "superintendent," "county superintendent," "county superintendent of public instruction," or similar terms to "director of schools." Amends TCA Title 49. by \*Davidson.

**House Bill No. 206** -- Education - Provides for evaluation report on model teen learning centers to be made February 1, rather than January 15. Amends TCA Title 49, Chapter 1. by \*Davidson.

**House Bill No. 207** -- Education, Higher - Changes from 21 to 24 age for dependent children of certain World War II and Korean War servicemen to be eligible for free tuition at state colleges and universities. Amends TCA Title 49, Chapters 7, 8, and 9. by \*Davidson.

**House Bill No. 208** -- Education - Deletes provisions of Tennessee Education Finance Act of 1977 in conflict with provisions of Basic Education Plan (BEP). Amends TCA Title 49, Chapter 3. by \*Davidson.

**House Bill No. 209** -- Education - Provides for guardians as well as parents to receive copies of report cards Amends TCA Title 49, Chapters 1 through 6. by \*Davidson.

**\*House Bill No. 210** -- State Prisoners - Requires department of correction to provide appropriate education and employment training to state prisoners in custody of department. Amends TCA Title 41. by \*Cooper.

**\*House Bill No. 211** -- Local Education Agency - Requires commissioner of education to distribute guidelines to boards of local education agencies concerning selection and role of student advisory members by August 1, 1997. Amends TCA Section 49-2-202. by \*Cooper.

**\*House Bill No. 212** -- Teachers - Makes teachers eligible for free course at public college or university on same terms that state employees eligible for such courses. Amends TCA Title 49. by \*Cooper.

**\*House Bill No. 213** -- Motor Vehicles, Titling and Registration - Authorizes issuance of "HISTORICALLY BLACK COLLEGES" cultural license plates; distributes funds to historically black colleges after sale of plates in excess of 250. Amends TCA Title 55, Chapter 4, Part 3. by \*Cooper.

**\*House Bill No. 214** -- Civil Procedure - Authorizes owner of surrounding property to receive damages which include litigation costs and proportionate share of increase in value of surrounded land in actions to grant surrounded land owner right-of-way for private road and utility easement Amends TCA Section 54-14-109. by \*Stulce.

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 215** -- Criminal Procedure - Makes penalty for failure to appear by defendant as required for Class A misdemeanor or felony offense, Class E felony; makes failure to appear for Class B or Class C misdemeanor offense Class A misdemeanor. Amends TCA Section 39-16-609. by \*Stulce.

**\*House Bill No. 216** -- Drugs - Authorizes doctors to prescribe, order, administer, sell or otherwise distribute any drug approved by federal drug administration for purpose of treating obesity or aiding in weight reduction regardless of board of medical examiners' rule to the contrary. Amends TCA Title 39, Chapter 17, Part 4 and Title 63, Chapter 6, Part 2. by \*Davis.

**\*House Bill No. 217** -- Pensions and Retirement Benefits - Allows state member of TCRS to make optional contributions to raise retirement benefit to 50 percent of average final compensation after 30 years of service. Amends TCA Title 8, Chapter 36. by \*Davis.

**\*House Bill No. 218** -- Hospitals and Health Care Facilities - Requires nursing homes to maintain at least one employee for every ten patients. by \*Davis.

**\*House Bill No. 219** -- Judges and Chancellors - Creates new circuit court judge position in 4th judicial district to be filled by election in August 1998. Amends TCA16-2-506(4)(A). by \*Davis.

**\*House Bill No. 220** -- Judges and Chancellors - Creates position of circuit court judge in 4th judicial district to be filled at 1998 election. Amends TCA Section 16-2-506(4)(A). by \*Davis.

**\*House Bill No. 221** -- Banks and Financial Institutions - Creates Class A misdemeanor punishable by \$2,500 fine only for financial institution located or operating in this state to require female to submit copy of divorce decree when applying for loan unless male required to submit same information. Amends TCA Title 45, Chapter 1, Part 1. by \*Turner (Hamilton).

**\*House Bill No. 222** -- Physicians and Surgeons - Requires doctors to post a list of fees, to inform patients that they will be seen by health care provider other than doctor and to reschedule doctor cancelled appointments as soon as practicable. Amends TCA Title 63 and Title 68. by \*Turner (Hamilton).

**\*House Bill No. 223** -- Insurance, Health, Accident - Requires companies, plans and contracts which provide coverage for mastectomies to also provide coverage for breast reconstruction if patient elects reconstruction and in manner chosen by patient and physician. Amends TCA Title 56, Chapter 7, Part 25. by \*Turner (Hamilton).

**\*House Bill No. 224** -- Children - Authorizes investments by trustee and fiduciary of minor's trust funds in tuition units under B.E.S.T. Act. Amends TCA Title 35, Chapter 3. by \*Davidson.

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 225** -- Education - Redesignates "break-the-mold" schools as "pilot" schools. Amends TCA Title 49. by \*Davidson.

**\*House Bill No. 226** -- Driver Licenses - Deletes requirement of providing social security number on driver license application, except, to the extent required by federal law, on commercial driver license application. Amends TCA Section 55-50-321. by \*Davidson.

**House Bill No. 227** -- Highway Signs - "Horace 'Cop' Savage Memorial Bridge," Coon Creek, U.S. 412, Perry County. by \*Tidwell.

**House Bill No. 228** -- Polk County - Subject to local approval, imposes privilege tax upon consumers participating in amusements for which admission fees charged. Amends Chapter 2 of the Private Acts of 1981. by \*Newton.

**\*House Bill No. 229** -- Professions and Occupations - Authorizes revocation of employee assistance professional license if not renewed within 45, rather than 60, days after registration comes due. Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 42, Part 1. by \*Jones, S., \*Langster.

**\*House Bill No. 230** -- Boards and Commissions - Encourages appointments to boards, commissions, councils and committees be made to achieve minority and gender balance in relation to population of area represented by such entity. by \*Pruitt.

**\*House Bill No. 231** -- Historical Commission - Requires placing historical plaque at Harold D. West Building on Meharry campus to recognize and commemorate cultural and historical significance of Dr. Harold D. West, first African-American president of Meharry Medical College. by \*Pruitt.

**House Bill No. 232** -- Animals - Creates pilot project in Davidson County to comprehensively investigate and track animal abuse complaints. by \*West.

**\*House Bill No. 233** -- Railroads - Requires railroad companies to provide counseling to employees involved in railroad accident resulting in serious bodily injury or death. Amends TCA Section 65-12-108. by \*West.

**\*House Bill No. 234** -- Taxes, Sales - Clarifies that customized conversion bus leases are not subject to sales taxes if control over driver maintained by company leasing bus. Amends TCA Section 67-6-204. by \*West.

**\*House Bill No. 235** -- State Employees - Authorizes state employees to submit forms regarding conflicts of interest but does not require state employees to submit such forms. Amends TCA Title 8, Chapter 50, Part 5. by \*West.

**\*House Bill No. 236** -- Taxes, Real Property - Exempts from taxation property owned by religious institutions contiguous to property owned by religious institution and upon which the religious institution intends to occupy and use purely and exclusively for carrying out one or more purposes of such religious institution. Amends TCA Section 67-5-212. by \*West.

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 237** -- Motor Vehicles, Titling and Registration - Authorizes special license plate for National Rifle Association. Amends TCA Title 55, Chapter 4. by \*West.

**\*House Bill No. 238** -- Vital Statistics - Requires death certificates to list cause of death. Amends TCA Title 68, Chapter 3, Part 5. by \*West.

**\*House Bill No. 239** -- Hospitals and Health Care Facilities - Limits non-residential methadone clinics to not more than one per 100 miles. by \*West.

**\*House Bill No. 240** -- Real Property - Specifies contract provisions for maintenance or management services by condominium associations; authorizes condominium associations to impose civil penalties up to \$25.00 upon owners for failure to comply with bylaws. Amends TCA Title 66, Chapter 27. by \*West.

**\*House Bill No. 241** -- Highways, Roads and Bridges - Directs department of transportation to erect noise abatement structures along certain segment of I-40 East. by \*West.

**\*House Bill No. 242** -- Criminal Offenses - Mandates that offense committed on state park property be punished one classification higher than provided by specific statute violated. Amends TCA Title 40, Chapter 35. by \*West.

**\*House Bill No. 243** -- Loan Companies - Prohibits persons with a felony conviction within last ten years from obtaining pawnbroker's license. Amends TCA Title 45, Chapter 6, Part 2. by \*West.

**\*House Bill No. 244** -- General Assembly - Establishes toll-free telephone service to general assembly for deaf persons. Amends TCA Title 3, Chapter 1, Part 1. by \*West.

**\*House Bill No. 245** -- Loan Companies - Requires licensure of businesses engaged in lending of money in exchange for check for fee or other consideration; establishes procedures for issuance, renewal and denial of such licenses. by \*West.

**House Bill No. 246** -- Animals - Creates Class E felony offense of aggravated cruelty to animals. Amends TCA Section 39-14-202. by \*West.

**House Bill No. 247** -- Criminal Offenses - Creates Class C misdemeanor offense for importation, possession and sale of commonly accepted house pets for consumption as food. Amends TCA Title 39, Chapter 14, Part 2. by \*West.

**House Bill No. 248** -- Sexual Offenses - Creates Class E felony offense of unlawful sexual contact with animal. Amends TCA Title 39. by \*West.

**\*House Bill No. 249** -- Housing - Creates Tennessee Indian Housing Authority. Amends TCA Title 13, Chapter 20. by \*West.

**\*House Bill No. 250** -- Medicine, Practice of - Limits costs of copying and mailing hospital records of patients. Amends TCA Section 68-11-304. by \*West.

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 251** -- TennCare - Prohibits discrimination against applicants for or recipients of medical assistance for needy on basis of religion. Amends TCA Title 33, Title 56 and Title 71. by \*West.

**\*House Bill No. 252** -- Highway Signs - "Camp Tyson Memorial Highway," U.S. 79, Henry County. by \*Ridgeway.

**\*House Bill No. 253** -- Motor Vehicles, Titling and Registration - Authorizes personalized special license plates for disabled drivers. Amends TCA Title 55, Chapters 4 and 21. by \*Ridgeway.

**House Bill No. 254** -- Veterinarians - Revises scope of practice of veterinary medicine to exclude equine dentistry. Amends TCA Title 63, Chapter 12, Part 1. by \*Phillips.

**House Bill No. 255** -- Fees - Authorizes register of deeds in Anderson County to demand \$2.00 fee for data processing for each instrument recorded; fee to be allocated for purchase of computer equipment, upgrades, supplies and maintenance used in register's office. Amends TCA Section 8-21-1001. by \*Caldwell.

**\*House Bill No. 256** -- Highway Signs - "Charles Deadrick 'Pete' Johnson Memorial Bridge," easternmost bridge on Tri-County Blvd. (S.R. 61 and 62) in Oliver Springs. by \*Caldwell.

**House Bill No. 257** -- Insurance, Health, Accident - Revises requirements for coverage of emergency medical services by HMOs, managed care organizations and health insurance providers. Amends TCA Title 56, Chapter 32, Part 2; Title 56, Chapter 7 and Section 68-140-502. by \*Caldwell, \*Cooper.

**\*House Bill No. 258** -- Pensions and Retirement Benefits - Clarifies definition of police officer who is employee of local government participating in TCRS as person trained and actively engaged in law enforcement. Amends TCA Title 8, Chapters 34 - 37. by \*Rhinehart.

**\*House Bill No. 259** -- Railroads - Adds five additional members to railway authorities in which Davidson County participates. Amends TCA Section 7-56-203. by \*West, \*Odom, \*Arriola, \*Halteman Harwel, \*Jones, S., \*Pruitt, \*Langster, \*Dunn, \*Garrett, \*Robinson.

**\*House Bill No. 260** -- Criminal Procedure - Increases from five to ten miles between witness' residence and place where witness shall testify that state will not reimburse for travel. Amends TCA Title 40. by \*Hargrove.

**\*House Bill No. 261** -- Emergency Communications Districts - Increases from 15 to 20 days length of time state director of local finance may report to district on current operating financial statement. Amends TCA Title 7, Chapter 86. by \*Hargrove.

## **MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 262** -- DUI/DWI Offenses - Reduces from 15 to ten days time for commissioner of safety to make decision in DUI driver license suspension case Amends TCA Title 55, Chapter 10. by \*Hargrove.

**House Bill No. 263** -- Judicial Districts - Creates new circuit court judgeship in 16th judicial district to be filled by election in August 1998 Amends TCA Section 16-2-506(16)(A). by \*Eckles.

**House Bill No. 264** -- Purchasing - Permits local governments to make purchases of goods and services through federal GSA or other applicable federal open purchase contracts, to extent permitted by federal law. Amends TCA Title 12, Chapter 3, Part 10. by \*Eckles.

**House Bill No. 265** -- Taxes, Sales - Raises single item value cap from \$1,600 to \$3,000 for application of local option sales tax. Amends TCA Title 67, Chapter 6, Part 7. by \*Eckles.

**House Bill No. 266** -- Education, Higher - Allows alumni members of state board of regents to have attended either two years or four semesters at institution governed by board. Amends TCA Title 49, Chapters 7, 8 and 9. by \*Curtiss.

**\*House Bill No. 267** -- Sexual Offenses - Creates Class C felony offense of sexual battery by authority which is unlawful sexual contact with child 13-18 by person with supervisory or disciplinary power over victim and use of power to accomplish the contact Amends TCA Title 39, Chapter 13, Part 5. by \*Curtiss.

**\*House Bill No. 268** -- Railroads - Terminates membership in railway authority of any city or county not having rail service for one year. Amends TCA Section 7-56-203. by \*West.

**\*House Bill No. 269** -- Regional Authorities - Requires contracts greater than \$500 for maintenance and repairs by a rail service authority and company not owned by rail service authority to be put out for bids. Amends TCA Section 7-56-211. by \*West.

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**\*House Bill No. 13** -- Zoning -- House State & Local Government Committee

**\*House Bill No. 14** -- Sentencing -- House Judiciary Committee

**\*House Bill No. 15** -- Drugs -- House Judiciary Committee

**\*House Bill No. 16** -- Sentencing -- House Judiciary Committee

**\*House Bill No. 17** -- Annexation -- House State & Local Government Committee



**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 18** -- Redistricting, Legislative & Congressional -- House State & Local Government Committee

**\*House Bill No. 19** -- Zoning -- Caption Bill Held on House Desk

**\*House Bill No. 20** -- Annexation -- House State & Local Government Committee

**\*House Bill No. 21** -- Sentencing -- House Government Operations Committee

**\*House Bill No. 22** -- Sentencing -- House Government Operations Committee

**\*House Bill No. 23** -- Zoning -- Caption Bill Held on House Desk

**\*House Bill No. 24** -- Public Records -- House Judiciary Committee

**\*House Bill No. 25** -- Divorce and Annulment -- Caption Bill Held on House Desk

**\*House Bill No. 26** -- Divorce and Annulment -- Caption Bill Held on House Desk

**\*House Bill No. 27** -- Criminal Procedure -- Caption Bill Held on House Desk

**\*House Bill No. 28** -- Highway Signs -- Caption Bill Held on House Desk

**\*House Bill No. 29** -- Correctional Programs -- Caption Bill Held on House Desk

**\*House Bill No. 30** -- Workers' Compensation -- Caption Bill Held on House Desk

**\*House Bill No. 31** -- Driver Licenses -- House Transportation Committee

**\*House Bill No. 32** -- Hospitals and Health Care Facilities -- House Judiciary Committee

**\*House Bill No. 33** -- Environmental Preservation -- Caption Bill Held on House Desk

**House Bill No. 34** -- Judges and Chancellors -- Caption Bill Held on House Desk

**\*House Bill No. 35** -- Tennessee Bureau of Investigation -- Caption Bill Held on House Desk

**\*House Bill No. 36** -- Judges and Chancellors -- Caption Bill Held on House Desk

**\*House Bill No. 37** -- Civil Procedure -- Caption Bill Held on House Desk

**\*House Bill No. 38** -- Workers' Compensation -- Caption Bill Held on House Desk

**\*House Bill No. 39** -- Local Education Agency -- House Education Committee

**\*House Bill No. 40** -- Highway Signs -- House Transportation Committee

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**\*House Bill No. 41** -- Judges and Chancellors -- House Judiciary Committee

**\*House Bill No. 42** -- Emergency Communications Districts -- House State & Local Government Committee

**\*House Bill No. 43** -- Highways, Roads and Bridges -- House Transportation Committee

**House Bill No. 44** -- Driver Licenses -- House Transportation Committee

**House Bill No. 45** -- Highway Signs -- House Transportation Committee

**CONSENT CALENDAR**

**House Joint Resolution No. 12** -- Memorials, Death - Charles T. Rhyne, Jr. by \*Davis.

**House Joint Resolution No. 13** -- Memorials, Death - Lucius Reese. by \*Davis.

**House Joint Resolution No. 14** -- Memorials, Professional Achievement - Dr. John R. Chambers, 1996 Young Veterinarian of the Year. by \*Davis.

**House Joint Resolution No. 15** -- Memorials, Death - James Everett Freshour. by \*Davis.

**Senate Joint Resolution No. 21** -- Memorials, Death - Orrel James (O Jay) Mitchell, Jr. by \*Cohen.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

## MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Fowlkes moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 21 out of order, which motion prevailed.

**House Joint Resolution No. 21 --** Memorials, Recognition and Thanks - Christine A. Young.  
by \*Fowlkes, \*Phillips.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Fowlkes, the resolution was adopted.

A motion to reconsider was tabled.

### UNFINISHED BUSINESS

The Speaker recognized the Clerk to announce the House Schedule as follows:

#### HOUSE COMMITTEE/SESSION SCHEDULE 100TH GENERAL ASSEMBLY

<u>MONDAY:</u>		<u>ROOM</u>
5:00	SESSION	CHAMBER
<u>TUESDAY:</u>		
8:00-9:00	CALENDAR AND RULES COMMITTEE	LP16
9:00-10:30	COMMERCE COMMITTEE	LP16
9:00-10:30	GOVERNMENT OPERATIONS COMMITTEE	LP30
10:30-12:00	EDUCATION COMMITTEE	LP16
10:30-12:00	AGRICULTURE COMMITTEE	LP31
12:00-1:30	HEALTH AND HUMAN RESOURCES COMMITTEE	LP16
1:30-3:00	FINANCE, WAYS AND MEANS COMMITTEE	LP16
3:00-4:30	STATE AND LOCAL GOVERNMENT COMMITTEE	LP16
3:00-4:30	CONSERVATION AND ENVIRONMENT COMMITTEE	LP30
<u>WEDNESDAY</u>		
8:00-9:00	CALENDAR AND RULES COMMITTEE	LP16
9:00-10:30	TRANSPORTATION COMMITTEE	LP16
9:00-10:30	CHILDREN AND FAMILY AFFAIRS COMMITTEE	LP29
10:30-12:00	JUDICIARY COMMITTEE	LP16
10:30-12:00	CONSUMER AND EMPLOYEE AFFAIRS COMMITTEE	LP30
2:00	FLOOR SESSION	CHAMBER

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**THURSDAY**

8:00-9:00

9:00

CALENDAR AND RULES COMMITTEE

FLOOR SESSION

LP16

CHAMBER

Without objection, the Committee Schedule was approved.

**ANNOUNCEMENTS**

**REPORT FILED**

The Clerk announced that in accordance with Tennessee Code Annotated Section 50-7-506, a copy of the Unemployment Insurance Trust Fund Balance Report has been submitted and is on file in the Clerk's Office.

**REPORT FILED**

The Clerk announced that the report of the Joint Committee created pursuant to House Joint Resolution No. 503 of the ninety-ninth General Assembly to study the disposition of court records has been submitted and is on file with the Clerk's Office.

**REPORT FILED**

The Clerk announced that the report of the Committee created pursuant to House Resolution No. 156 of the ninety-ninth General Assembly to study the development of public policy and planning relative to inner city economic development has been submitted and is on file with the Clerk's Office.

**REPORT FILED**

The Clerk announced that the report of the Commission created pursuant to House Joint Resolution No. 223 of the ninety-ninth General Assembly to study the Uniform Probate Code has been submitted and is on file with the Clerk's Office.

**COMMUNICATION  
AMENDMENTS TO COURT RULES**

The Supreme Court of Tennessee at Nashville

In Re: Amendments to Court Rules

**ORDER**

The Court hereby adopts the attached Rules of Criminal Procedure effective July 1, 1997, subject to approval by resolutions of the General Assembly

This 28th day of January, 1996.

Adolpho A. Birch, Chief Justice

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**RECEIVED:**

Burney T. Durham, Chief Clerk of the House of Representatives  
January 28, 1997

**COMMUNICATION  
AMENDMENTS TO COURT RULES**

The Supreme Court of Tennessee at Nashville

In Re: Amendments to Court Rules

**ORDER**

The Court hereby adopts the attached amendments to the Rules of Civil Procedure, Rules of Evidence, and Rules of Appellate Procedure effective July 1, 1997, subject to approval by resolutions of the General Assembly

This 28th day of January, 1996.

Adolpho A. Birch, Chief Justice  
Frank F. Drowate, Jr. Justice  
E. Riley Anderson, Justice  
Lyle Reid, Justice  
Janice M. Holder, Justice

**RECEIVED:**

Burney T. Durham, Chief Clerk of the House of Representatives  
January 28, 1997

**REPORT FILED**

The Clerk announced that the Report of the Special Committee created by House Resolution No. 162 of the ninety-ninth General Assembly to examine the effects and usage of the drug Ritalin and other Amphetamines has been submitted and is on file with the Clerk's Office.

**REPORT FILED**

The Clerk announced that the Report of the Committee created by House Resolution No. 200 of the ninety-ninth General Assembly to examine the mitigation of earthquake hazards in West Tennessee has been submitted and is on file with the Clerk's Office.

**ANNOUNCEMENT**

Rep. Kisber announced that the Report of the Ethics Committee has been spread on the member's desk and moved that it be placed on the Regular Calendar for February 5, 1997, which motion prevailed.

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

**ENGROSSED BILLS**

**February 3, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 21.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**February 3, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 12, 13, 14, 15 and 28.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**February 3, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 3; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENROLLED BILLS**

**February 3, 1997**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 3.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**APPOINTMENT OF SELECT COMMITTEE**

The Speaker announced that he has appointed the following members to the Council on Pensions and Insurance: Representatives Rhinehart, Kisber, Head, Cole (Dyer), McDaniel and Kent.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones

**MONDAY, FEBRUARY 3, 1997 -- SECOND LEGISLATIVE DAY**

U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**RECESS MOTION**

On motion of Rep. Hargrove, the House recessed until 2:00 p.m., Wednesday, February 5, 1997.